THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11859 of 1996

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondent in not regularizing the services of the members of the petitioner union who are employees of respondent's project in the Telugu Ganga Project, Srikalahasti, Chittoor district as illegal, arbitrary and consequently to direct the respondent not to discontinue the services of the members of the petitioner' union.

According to the petitioner, it is a registered society under the provisions of Trade Unions Act to protect the interest of its members and has got 30 members on its rolls.

The members of the petitioner union are working in Telugu Ganga Project, Srikalahasti and they have made a representation to the respondent, upon which conciliation proceedings have been taken place and the respondent is permitting the members of the petitioner union to work in Telugu Ganga Project as their services are essentially required for day to day works. They have completed more than 240 days of service and therefore they are entitled for regularization of their services.

At the time of admission of the writ petition, this court passed the following interim order:

> "In the light of the facts and circumstances of the instant case, it is directed that the services of the members of the petitioner's union may be taken by the respondent as and when exigencies would arise and upon payment of wages not less than the minimum wages on par with the wages paid to permanent employees of their category in the respondents organisation".

During the pendency of the writ petition, majority of the members

of the petitioner's union have also filed O.A.No.6356 of 1998 before A.P. Administrative Tribunal, Hyderabad and the same was dismissed by order dated 8.2.2001. In the said O.A., the Tribunal even considered the applicability of G.O.Ms.No.212 dated 22.4.1994 to the case of the petitioners and ultimately it was held as under:

> "Hence, in view of the facts and circumstances stated above, I find no merits in the contentions of the applicants. However, since there are directions from the Tribunal and the High Court to consider the cases of the applicants for recruiting them as NMRs. If the respondents are recruiting persons as NMRs, the cases of the applicants also have to be taken into consideration. Hence, since already such orders are existing, I find no reason to issue any further orders".

In view of the above and also in view of the interim orders of this Court dated 10.7.1996, no further orders are necessary and the writ petition is accordingly closed. No order as to costs.

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C.V.RAMULU,
J

Date: 21.11.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11859 of 1996

21.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11859 of 1996

Date: 21st November, 2006

Between:

Telugu Ganga Project Staff & Workers Union,

represented by its Hon. President, Srikalahasti,
Chittoor district.

Petitioner

And

The Superintending Engineer,
Telugu Ganga Project Circle,
Srikalahasti, Chittoor district.

.. Respondent